

REMARKS

Claims 1, 3-7, and 11-18 are all the claims pending in the present application. The Examiner has maintained many of the same arguments set forth previously, and adds a few new arguments in the present Office Action. Specifically, claims 1, 3-7, and 11-18 are rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with a written description requirement. Claims 1, 3-7, and 11-18 are also rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1, 3, and 15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Baun (DE 3610519). Claims 4-6 and 16-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Baun.

§112, first paragraph, Rejections - Claims 1, 3-7, and 11-18

In paragraph labeled with the letter “a” on page 2 of the Office Action, the Examiner maintains the same arguments set forth in the previous Office Action. In response, Applicants respectfully maintain, as previously argued, that the Examiner is simply incorrect in stating that the constitution of the actuator is not described. In fact, several examples of the actuator are directly disclosed. These include, without limitation, a counterweight on a rotor, an eccentric rotor, a function generator which imposes a vibration waveform on a wheel drive motor’s DC output, a generator which imposes a vibration waveform on a steering torque signal of the power steering motor, etc, etc. Applicants respectfully submit that it is beyond Applicants’ understanding how the Examiner can maintain that the inventors were not in possession of the

claimed invention in view of these disclosures and the working examples given in the specification.

Further, in paragraph “b”, the Examiner alleges that vibration to reduce the coefficient of friction in one of a longitudinal direction and a width direction is new matter. In response, Applicants submit that the last two paragraphs on page 23 of the original specification provides support for applying vibration to reduce the coefficient of friction in one of a longitudinal direction and a width direction. That is, the last full paragraph on page 23 of the present specification recites that applying vibration in both the revolution direction and a width direction makes it possible to improve friction coefficients in both the longitudinal and transverse directions, and to control the motion behavior of the vehicle. The transverse direction mentioned in the last full paragraph on page 23 of the specification corresponds to the claimed width direction. Therefore, at least based on the foregoing, Applicants submit that claim 1 does not include new matter.

§112, second paragraph, Rejections - Claims 1, 3-7, and 11-18

The Examiner rejects claim 1 and the claims that depend therefrom for the reasons set forth in paragraph “a” on page 3 of the present Office Action. It appears that because the specification does not explicitly recite the meaning of “response frequency”, the Examiner believes that one skilled in the art cannot know what frequency would be higher than the response frequency. In response, Applicants maintain the previously submitted evidence and the accompanying arguments.

A Declaration supporting the Applicants' arguments that one of ordinary skill in the art would understand the meaning of "response frequency" is forthcoming.

Also, with respect to claim 16-18, the Examiner rejects these claims for the reason set forth in paragraph "b" on page 3 of the Office Action. Applicants amend claims 16-18, as indicated herein, and Applicants believe that the Examiner's rejections of claims 16-18 under 35 U.S.C. § 112, second paragraph are obviated.

§102(b) Rejections (Baun) - Claims 1, 3, and 15

The Examiner rejects claims 1, 3, and 15 for the reasons set forth in the second full paragraph on page 4 of the present Office Action.

In response, first, Applicants maintain the arguments set forth in the previous Amendments/Responses. Further, the Examiner only discusses that Baun allegedly reduces the coefficient of friction in the width direction. However, the Examiner does not address several limitations set forth in claim 1, including applying a first vibration to a tire in a running state to reduce a coefficient of friction in a longitudinal direction of the tire, between the tire and the surface of a road, so as to increase a coefficient of friction in a width direction of the tire between the tire and the road. That is, this specific claim has feature in which a coefficient of friction in a width direction is increased and a coefficient of friction in a longitudinal direction is reduced. Baun does not disclose these particular features of claim 1.

Applicants submit that dependent claims 3 and 15 are patentable at least by virtue of their dependencies from independent claim 1.

§103(a) Rejections (Baun) - Claims 4-6, and 16-18

Applicants maintain that dependent claims 4-6 and 16-18 are patentable at least by virtue of their respective dependencies.

Further, with respect to claims 16-18, Applicants submit that the Examiner does not even address the specific limitations set forth in these claims. The Examiner alleges that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baun to include the frequency ranges set forth in claims 4-6 in order to maximize friction force between the tire and road surface. Further, the Examiner alleges that the selection of an optimum value within prior art general conditions is generally recognized as being within level of ordinary skill in the art. In response, Applicants respectfully submit that the Examiner has simply made assertions without providing support in the applied references for said assertions. In fact, the Examiner even acknowledges that Baun fails to disclose or suggest the specific features of claims 4-6.

At least based on the fact that the features of claims 4-6 and 16-18 are not satisfied by Baun, and because the Examiner has not provided any references that support his assertions, Applicants maintain that claims 4-6 and 16-18 are patentably distinguishable over Baun.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 10/069,588

ATTORNEY DOCKET NO. Q68338

interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

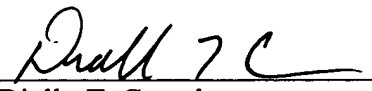
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Date: April 12, 2006